

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GEM YIELD BAHAMAS LIMITED and GEM  
GLOBAL YIELD LLC SCS,

Petitioners,

vs.

MULLEN TECHNOLOGIES, INC. and MULLEN  
AUTOMOTIVE, INC.,

Respondents.

Case No. \_\_\_\_\_

**DECLARATION OF ALEXANDER L. CHENEY**

Alexander L. Cheney, an attorney admitted to practice before this Court, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

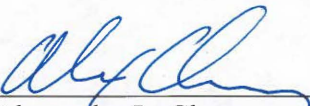
1. I am a partner with the law firm Willkie Farr & Gallagher LLP, counsel in this proceeding to Petitioners GEM Yield Bahamas Limited and GEM Global Yield LLC SCS (“Petitioners”). I submit this declaration to provide the Court with the documents referred to in Petitioners’ Application to Confirm and Enter Judgment on Interim Measures Arbitration Award.

2. I submit as exhibits hereto true and correct copies of the following documents:

- a. **Exhibit 1**: The Decision and Order on Claimants’ Second Application for Interim Measures (the “Interim Measures Order”) dated January 24, 2024 issued by Arbitrator Mark C. Morril in the arbitration proceeding between Petitioners and Respondents Mullen Technologies, Inc. and Mullen Automotive, Inc. (“Mullen” or “Respondents”), entitled *GEM Yield Bahamas Limited and GEM Global Yield LLC SCS v. Mullen Technologies, Inc. and Mullen Automotive, Inc.*, AAA Case No. 01-21-0016-7001 (the “Arbitration”).
- b. **Exhibit 2**: The Share Purchase Agreement executed between Petitioners and Mullen Technologies, Inc. on January 4, 2021.

- c. **Exhibit 3**: The Registration Rights Agreement executed between Petitioners and Mullen Technologies, Inc. on January 4, 2021.
- d. **Exhibit 4**: The Warrant executed between GEM Yield Bahamas Limited and Mullen Technologies, Inc. on January 4, 2021.
- e. **Exhibit 5**: A letter issued to the parties by the International Center for Dispute Resolution on November 17, 2021, confirming the appointment of Mark C. Morril as arbitrator in the Arbitration.
- f. **Exhibit 6**: The Partial Final Award dated November 17, 2023 issued by Arbitrator Mark C. Morril in the Arbitration.

Dated: San Francisco, CA  
February 13, 2024

  
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Alexander L. Cheney